

Appl. No. 09/840,434  
Amdt. dated October 29, 2003  
Reply to Office action of July 29, 2003

## REMARKS/ARGUMENTS

Claims one through nine remain in this application. No claims beyond those for which a fee has been paid are added by this amendment. The applicants request further examination of the application in view of the remarks as set out below.

Paragraph 2 of the communication of July 29, 2003 rejects claims 1 – 6 and claim 9 under 35 U.S.C. §102(b) as anticipated by U.S. Patent no. 5,989,140 to Ichikawa et al. (Ichikawa et al. '140). Ichikawa et al. '140 discloses a chain having conventional teeth on the front side of the chain and including plates that form a flat back surface either extending substantially the length of the link, surface F of link 3 as shown by Fig. 3 or extending between sub-teeth t', surface f of links 7 and 2A as also shown by Fig. 3. Ichikawa et al. '140 also discloses a sprocket 6 having teeth that have tops 6A that are arcuate and concentric with the rotational center of the sprocket 6. Ichikawa et al. '140 col. 4 lines 21 – 24. The arcuate tops 6A support the flat surfaces F and f of links 2 and 3 and the flat surfaces f of the links 7 and 2A. Id. at col. 4 lines 24 – 30. The flat surfaces F and f do not conform to the arcuate surface 6A of the sprocket and do not contact the surface 6A along a majority of the length of the surfaces F and f.

The surfaces F and f of the chain disclosed by Ichikawa et al. 140 provide radial support for the chain but do not provide driving contact with the sprocket 6. Driving contact is provided by the sub-teeth t' that engage the teeth of the sprocket 6. Ichikawa et al. '140 col. 4 lines 1 – 5. The flat surfaces F and f do not contact the arcuate tops 6A of the teeth of

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the sprocket 6 along a majority of the length of the surfaces F or f and cannot provide driving contact.

Paragraph 4 of the communication of July 29, 2003 rejects claims 7 and 8 under 35 U.S.C. §103(a) as unpatentable over Ichikawa et al. '140 in view of U.S. patent no 270,723 (Aydelott '723). Claims 7 and 8 are dependent claims that depend from independent claim 5. Aydelott '723 discloses a polygonal shaped wheel having toothed sides. The wheel engages a chain having straight cog-links. Lines 47 – 50. The cog-links have cogs (teeth) that engage the cogs (teeth) on the periphery of the wheel. Lines 50 – 59. While Aydelott '723 teaches conforming and driving contact, it teaches conforming and driving contact by links forming a series of teeth. In contrast, applicants' invention, as claimed, requires surfaces of links that contact a back-side sprocket along a surface. The surfaces, as described by the application and depicted for the various embodiments, are "generally continuous smooth" surfaces. Page 16 – 17. Such surfaces are specifically contrasted to toothed profiles such as disclosed by Aydelott '723. Page 17 lines 4 – 7. Aydelott '723 does not teach or suggest applicants' invention. Aydelott '723 does not suggest modification of Ichikawa et al. '140 that teaches applicants' invention.

Independent claims 1 and 5 require that links of the chain have a surface that contacts low profile protrusions along at least a majority of the length of the surface. Claim one additionally requires that the contact provide for driving contact with the low profile protrusion. The surfaces f and F of Ichikawa et al. '140 do not contact the surface 6A of the sprocket along a majority of their length. Paragraph 2 of the communication of July 29, 2003 suggests that the surface of the Ichikawa chain defines teeth. That is inconsistent with the

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application description of the contacting surface. See pages 16 – 17. Even accepting that the claimed surface could include teeth adjacent to surfaces F and f, Ichikawa et al. '140 does not teach contact along a majority of that surface as now required by claims 1 and 5.

Neither Ichikawa et al. '140, Aydelott '723, nor any other art of record anticipate or render obvious applicants' invention as now claimed. The claims are believed to be in condition for allowance and that action is earnestly requested.

No fees are believed to be necessary. Please charge any additional fees or credit overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully Submitted,



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